

RECEIVED

UNITED STATES DISTRICT COURT

MAR - 3 2010

DISTRICT OF MONTANA

CLERK, U.S. DISTRICT COURT  
DISTRICT OF MONTANA  
BILLINGS, MONTANA

SETH MUTH,  
Petitioner,

v.

UNITED STATES OF AMERICA,  
Respondent.

Case No. CV 09-118-BLG-JDS

**NOTICE OF APPEAL**

NOW COMES, Seth Muth, Petitioner, Pro Se, (also Defendant) in the above captioned case, and hereby gives his Notice of Appeal to the United States Court of Appeal for the 9th Circuit from the Order of this Honorable Court as stated below:

Petitioner/Defendant is Appealing both the decision of this Court and the denial of the Certificate of Appealability. Accordingly, Petitioner/Defendant is requesting the 9th Circuit Court of Appeals to grant his request for a Certificate of Appealability.

Respectfully submitted this 2nd day March, 2010.

Petitioner/Defendant certifies, under penalty of perjury, that he has deposited this Notice of Appeal into the Inmate mailbox system at the Federal Prison Camp of Sheridan, Oregon, on this date (3/2/10).

Seth Muth, Seth Muth  
Inmate Number 07509-046  
Federal Prison Camp / Unit 5  
P.O. Box 6000  
Sheridan, OR 97378-6000